

viding representational services under this section. Former subsec. (i) redesignated (h).

Subsec. (j). Pub. L. 99-651, § 102(b), redesignated subsec. (k) as (j), and amended subsec. (j) generally to include the District Court for the Northern Mariana Islands. Former subsec. (j) redesignated (i).

Subsecs. (k), (l). Pub. L. 99-651, § 102(a)(7), (b)(1), redesignated subsec. (i) as (k) and substituted "this section shall apply" for "this Act, other than subsection (h) of section 1, shall apply" and "this section shall not apply" for "this Act shall not apply". Former subsec. (k) redesignated (j).

1984—Subsec. (a). Pub. L. 98-473, § 405(a), added cl. (4) and redesignated former cl. (4) as (5).

Subsec. (d)(1). Pub. L. 98-473, § 1901(1)-(3), substituted "\$60" for "\$30" and "\$40" for "\$20", and struck out ", or such other hourly rate, fixed by the Judicial Council of the Circuit, not to exceed the minimum hourly scale established by a bar association for similar services rendered in the district" at end of first sentence.

Subsec. (d)(2). Pub. L. 98-473, § 1901(4)-(6), substituted "\$2,000" for "\$1,000" in two places, "\$800" for "\$400", and "\$500" for "\$250".

Subsec. (g). Pub. L. 98-473, § 405(b), struck out reference to section 4245 of title 18.

EFFECTIVE DATE OF 1986 AMENDMENT

Section 105 of title I of Pub. L. 99-651 provided that: "This title and the amendments made by this title [amending this section and section 1825 of Title 28, Judiciary and Judicial Procedure, and enacting provisions set out as a note under this section] shall take effect one hundred and twenty days after the date of enactment of this Act [Nov. 14, 1986]. The maximum hourly rates provided in section 3006A(d)(1) of title 18, United States Code, as amended by section 102(a)(3)(A) of this Act, shall apply only to services performed on or after the effective date of this title. The maximum allowed for compensation for a case, as provided in section 3006A(d)(2) of title 18, United States Code, as amended by section 102(a)(3)(B) of this Act, shall apply only to compensation claims in which some portion of the claim is for services performed on or after the effective date of this title. The maximum compensation allowed pursuant to section 3006A(e) of title 18, United States Code, as amended by subparagraphs (B) and (C) of section 102(a)(4) of this Act, shall apply only to services obtained on or after the effective date of this title."

SHORT TITLE OF 1986 AMENDMENT

Section 101 of title I of Pub. L. 99-651 provided that: "This title [amending this section and section 1825 of Title 28, Judiciary and Judicial Procedure, and enacting provisions set out as a note under this section] may be referred to as the 'Criminal Justice Act Revision of 1986'."

SHORT TITLE OF 1984 AMENDMENT

Section 1901 of chapter XIX (§ 1901) of title II of Pub. L. 98-473 provided in part that: "This chapter [amending this section] may be cited as the 'Criminal Justice Act Revision of 1984'."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 3162, 4109, 4214, 4247 of this title; title 28 sections 753, 1825, 1875; title 48 section 1694c.

§ 3012. Orders respecting persons in custody

REPEAL OF SECTION

Pub. L. 98-473, title II, §§ 218(a)(2), 235(a)(1), Oct. 12, 1984, 98 Stat. 2027, 2031, as amended, provided that, effective on the first day of the first calendar month beginning 36 months after Oct. 12, 1984 (Nov. 1,

1987), this section is repealed. See Effective Date note set out under section 3551 of this title.

§ 3013. Special assessment on convicted persons

(a) The court shall assess on any person convicted of an offense against the United States—

(1) in the case of a misdemeanor—

(A) the amount of \$25 if the defendant is an individual; and

(B) the amount of \$100 if the defendant is a person other than an individual; and

(2) in the case of a felony—

(A) the amount of \$50 if the defendant is an individual; and

(B) the amount of \$200 if the defendant is a person other than an individual.

(b) Such amount so assessed shall be collected in the manner that fines are collected in criminal cases.

(Added Pub. L. 98-473, title II, § 1405(a), Oct. 12, 1984, 98 Stat. 2174.)

EFFECTIVE DATE

Section effective 30 days after Oct. 12, 1984, see section 1409(a) of Pub. L. 98-473, set out as a note under section 10601 of Title 42, The Public Health and Welfare.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 42 section 10601.

CHAPTER 203—ARREST AND COMMITMENT

Sec.

3043. Repealed.

3056. Powers, authorities, and duties of United States Secret Service.

3062. General arrest authority for violation of release conditions.

AMENDMENTS

1984—Pub. L. 98-587, § 1(b), Oct. 30, 1984, 98 Stat. 3111, substituted "Powers, authorities, and duties of United States Secret Service" for "Secret Service powers" in item 3056.

Pub. L. 98-473, title II, § 204(e), Oct. 12, 1984, 98 Stat. 1986, substituted "Repealed" for "Security of the peace and good behavior" in item 3043 and added item 3062.

§ 3041. Power of courts and magistrates

[See main edition for text of first par.]

A United States judge or magistrate shall proceed under this section according to rules promulgated by the Supreme Court of the United States. Any state judge or magistrate acting hereunder may proceed according to the usual mode of procedure of his state but his acts and orders shall have no effect beyond determining, pursuant to the provisions of section 3142 of this title, whether to detain or conditionally release the prisoner prior to trial or to discharge him from arrest.

(As amended Oct. 12, 1984, Pub. L. 98-473, title II, § 204(a), 98 Stat. 1985.)

AMENDMENTS

1984—Pub. L. 98-473 substituted "determining, pursuant to the provisions of section 3142 of this title,

whether to detain or conditionally release the prisoner prior to trial" for "determining to hold the prisoner for trial".

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 3042, 3141, 3152, 3156 of this title; title 16 section 916g; title 26 section 5557.

§ 3042. Extraterritorial jurisdiction

[See main edition for text of first par.]

Such fugitive first mentioned may, by any officer or representative of the United States vested with judicial authority in any country in which the United States exercises extraterritorial jurisdiction and agreeably to the usual mode of process against offenders subject to such jurisdiction, be arrested and detained or conditionally released pursuant to section 3142 of this title, as the case may be, pending the issuance of a warrant for his removal, which warrant the principal officer or representative of the United States vested with judicial authority in the country where the fugitive shall be found shall seasonably issue, and the United States marshal or corresponding officer shall execute.

[See main edition for text of third par.]

(As amended Oct. 12, 1984, Pub. L. 98-473, title II, § 204(b), 98 Stat. 1985.)

AMENDMENTS

1984—Pub. L. 98-473 substituted "detained or conditionally released pursuant to section 3142 of this title" for "imprisoned or admitted to bail".

[§ 3043. Repealed. Pub. L. 98-473, title II, § 204(c), Oct. 12, 1984, 98 Stat. 1986]

Section, acts June 25, 1948, ch. 645, 62 Stat. 816; Oct. 17, 1968, Pub. L. 90-578, title III, § 301(a)(2), 82 Stat. 1115, related to the authority of justices, judges, and magistrates to hold to security of the peace and for good behavior. See section 3142 of this title.

§ 3050. Bureau of Prisons employees' powers

An officer or employee of the Bureau of Prisons may—

(1) make arrests on or off of Bureau of Prisons property without warrant for violations of the following provisions regardless of where the violation may occur: sections 111 (assaulting officers), 751 (escape), and 752 (assisting escape) of title 18, United States Code, and section 1826(c) (escape) of title 28, United States Code;

(2) make arrests on Bureau of Prisons premises or reservation land of a penal, detention, or correctional facility without warrant for violations occurring thereon of the following provisions: sections 661 (theft), 1361 (depredation of property), 1363 (destruction of property), 1791 (contraband), 1792 (mutiny and riot), and 1793 (trespass) of title 18, United States Code; and

(3) arrest without warrant for any other offense described in title 18 or 21 of the United States Code, if committed on the premises or reservation of a penal or correctional facility of the Bureau of Prisons if necessary to safe-

guard security, good order, or government property;

If such officer or employee has reasonable grounds to believe that the arrested person is guilty of such offense, and if there is likelihood of such person's escaping before an arrest warrant can be obtained. If the arrested person is a fugitive from custody, such prisoner shall be returned to custody. Officers and employees of the said Bureau of Prisons may carry firearms under such rules and regulations as the Attorney General may prescribe.

(As amended Nov. 10, 1986, Pub. L. 99-646, § 65, 100 Stat. 3615.)

AMENDMENTS

1986—Pub. L. 99-646 amended first sentence generally and substituted "such prisoner" for "he" in second sentence. Prior to amendment, first sentence read as follows: "An officer or employee of the Bureau of Prisons of the Department of Justice may make arrests without warrant for violations of any of the provisions of sections 751, 752, 1791, or 1792 of this title, if he has reasonable grounds to believe that the arrested person is guilty of such offense, and if there is likelihood of his escaping before a warrant can be obtained for his arrest."

§ 3056. Powers, authorities, and duties of United States Secret Service

(a) Under the direction of the Secretary of the Treasury, the United States Secret Service is authorized to protect the following persons:

(1) The President, the Vice President (or other officer next in the order of succession to the Office of President), the President-elect, and the Vice President-elect.

(2) The immediate families of those individuals listed in paragraph (1).

(3) Former Presidents and their spouses for their lifetimes, except that protection of a spouse shall terminate in the event of remarriage.

(4) Children of a former President who are under 16 years of age.

(5) Visiting heads of foreign states or foreign governments.

(6) Other distinguished foreign visitors to the United States and official representatives of the United States performing special missions abroad when the President directs that such protection be provided.

(7) Major Presidential and Vice Presidential candidates and, within 120 days of the general Presidential election, the spouses of such candidates. As used in this paragraph, the term "major Presidential and Vice Presidential candidates" means those individuals identified as such by the Secretary of the Treasury after consultation with an advisory committee consisting of the Speaker of the House of Representatives, the minority leader of the House of Representatives, the majority and minority leaders of the Senate, and one additional member selected by the other members of the committee.

The protection authorized in paragraphs (2) through (7) may be declined.

(b) Under the direction of the Secretary of the Treasury, the Secret Service is authorized to detect and arrest any person who violates—

(1) section 508, 509, 510, 871, or 879 of this title or, with respect to the Federal Deposit Insurance Corporation, Federal land banks, and Federal land bank associations, section 213, 216, 433, 493, 657, 709, 1006, 1007, 1011, 1013, 1014, 1907, or 1909 of this title;

(2) any of the laws of the United States relating to coins, obligations, and securities of the United States and of foreign governments; or

(3) any of the laws of the United States relating to electronic fund transfer frauds, credit and debit card frauds, and false identification documents or devices; except that the authority conferred by this paragraph shall be exercised subject to the agreement of the Attorney General and the Secretary of the Treasury and shall not affect the authority of any other Federal law enforcement agency with respect to those laws.

(c)(1) Under the direction of the Secretary of the Treasury, officers and agents of the Secret Service are authorized to—

(A) execute warrants issued under the laws of the United States;

(B) carry firearms;

(C) make arrests without warrant for any offense against the United States committed in their presence, or for any felony cognizable under the laws of the United States if they have reasonable grounds to believe that the person to be arrested has committed or is committing such felony;

(D) offer and pay rewards for services and information leading to the apprehension of persons involved in the violation or potential violation of those provisions of law which the Secret Service is authorized to enforce;

(E) pay expenses for unforeseen emergencies of a confidential nature under the direction of the Secretary of the Treasury and accounted for solely on the Secretary's certificate; and

(F) perform such other functions and duties as are authorized by law.

(2) Funds expended from appropriations available to the Secret Service for the purchase of counterfeits and subsequently recovered shall be reimbursed to the appropriations available to the Secret Service at the time of the reimbursement.

(d) Whoever knowingly and willfully obstructs, resists, or interferes with a Federal law enforcement agent engaged in the performance of the protective functions authorized by this section or by section 1752 of this title shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

(As amended Nov. 14, 1983, Pub. L. 98-151, § 115(b), 97 Stat. 977; Oct. 30, 1984, Pub. L. 98-587, § 1(a), 98 Stat. 3110.)

REFERENCES IN TEXT

Section 216 of this title, referred to in subsec. (b)(1), was repealed by Pub. L. 98-473, title II, § 1107(b), Oct. 12, 1984, 98 Stat. 2146.

AMENDMENTS

1984—Pub. L. 98-587 amended section generally, providing authority for the Secret Service to conduct criminal investigations of, make arrests in, and present for prosecutorial consideration, cases relating to electronic fund transfer frauds, and providing the Secret Service with authority to conduct investigations and make arrests relating to credit and debit card frauds, and false identification documents and devices, to be exercised subject to the agreement of the Attorney General and the Secretary of the Treasury.

1983—Subsec. (a). Pub. L. 98-151 added reference to section 510 of this section in fifth clause.

MAJOR PRESIDENTIAL OR VICE PRESIDENTIAL CANDIDATES AND SPOUSES; PERSONAL PROTECTION

Pub. L. 90-331, June 6, 1968, 82 Stat. 170, as amended by Pub. L. 94-408, § 1, Sept. 11, 1976, 90 Stat. 1239; Pub. L. 94-524, § 11, Oct. 17, 1976, 90 Stat. 2477; Pub. L. 96-329, Aug. 11, 1980, 94 Stat. 1029, which had provided for personal protection of major presidential or vice presidential candidates and had authorized protection of spouses commencing not more than 120 days before the general Presidential election, and appropriated for fiscal year ending June 30, 1968, \$400,000 for execution of such provisions, was repealed by Pub. L. 98-587, § 2, Oct. 30, 1984, 98 Stat. 3111. See subsec. (a)(7) of this section.

PRESIDENTIAL PROTECTION ASSISTANCE ACT OF 1976

Pub. L. 94-524, §§ 1-10, Oct. 17, 1976, 90 Stat. 2475-2477, as amended by Pub. L. 99-190, § 143, Dec. 19, 1985, 99 Stat. 1324, provided: "That this Act may be cited as the 'Presidential Protection Assistance Act of 1976'."

[See main edition for text of Secs. 2 and 3]

"Sec. 4. Expenditures by the Secret Service for maintaining a permanent guard detail and for permanent facilities, equipment, and services to secure any non-Governmental property in addition to the one non-Governmental property designated by each protectee under subsection 3(a) or 3(b) may not exceed a cumulative total of \$75,000 at each such additional non-Governmental property, unless expenditures in excess of that amount are specifically approved by resolutions adopted by the Committees on Appropriations of the House and Senate, respectively.

[See main edition for text of Secs. 5 to 10]

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 351, 879, 1752 of this title; title 5 section 552a; title 12 section 3414; title 22 sections 2709, 4304; title 31 sections 1344, 1537.

§ 3057. Bankruptcy investigations

SAVINGS PROVISION

Amendment by section 314 of Pub. L. 95-598 not to affect the application of chapter 9 (§ 151 et seq.), chapter 96 (§ 1961 et seq.), or section 2516, 3057, or 3284 of this title to any act of any person (1) committed before Oct. 1, 1979, or (2) committed after Oct. 1, 1979, in connection with a case commenced before such date, see section 403(d) of Pub. L. 95-598, set out as a note preceding section 101 of Title 11, Bankruptcy.

§ 3062. General arrest authority for violation of release conditions

A law enforcement officer, who is authorized to arrest for an offense committed in his presence, may arrest a person who is released pursuant to chapter 207 if the officer has reasonable grounds to believe that the person is violat-

ing, in his presence, a condition imposed on the person pursuant to section 3142(c)(2)(D), (c)(2)(E), (c)(2)(H), (c)(2)(I), or (c)(2)(M), or, if the violation involves a failure to remain in a specified institution as required, a condition imposed pursuant to section 3142(c)(2)(J).³

(Added Pub. L. 98-473, title II, § 204(d), Oct. 12, 1984, 98 Stat. 1986.)

REFERENCES IN TEXT

Subsections 3142(c)(2)(D), (c)(2)(E), (c)(2)(H), (c)(2)(I), (c)(2)(J), and (c)(2)(M), referred to in text, were redesignated subsections 3142(c)(1)(B)(iv), (c)(1)(B)(v), (c)(1)(B)(viii), (c)(1)(B)(ix), (c)(1)(B)(x), and (c)(1)(B)(xiii), respectively, by Pub. L. 99-646, § 55(c)(3), Nov. 10, 1986, 100 Stat. 3608.

CHAPTER 204—REWARDS FOR INFORMATION CONCERNING TERRORIST ACTS

Sec.

- 3071. Information for which rewards authorized.
- 3072. Determination of entitlement; maximum amount; Presidential approval; conclusiveness.
- 3073. Protection of identity.
- 3074. Exception of governmental officials.
- 3075. Authorization for appropriations.
- 3076. Eligibility for witness security program.
- 3077. Definitions.

§ 3071. Information for which rewards authorized

With respect to acts of terrorism primarily within the territorial jurisdiction of the United States, the Attorney General may reward any individual who furnishes information—

(1) leading to the arrest or conviction, in any country, of any individual or individuals for the commission of an act of terrorism against a United States person or United States property; or

(2) leading to the arrest or conviction, in any country, of any individual or individuals for conspiring or attempting to commit an act of terrorism against a United States person or property; or

(3) leading to the prevention, frustration, or favorable resolution of an act of terrorism against a United States person or property.

(Added Pub. L. 98-533, title I, § 101(a), Oct. 19, 1984, 98 Stat. 2706.)

SHORT TITLE

Section 1 of Pub. L. 98-533 provided that: "This Act [enacting this chapter and section 2708 of Title 22, Foreign Relations and Intercourse, amending sections 2669, 2678 and 2704 of Title 22, enacting provisions set out as a note under section 5928 of Title 5, Government Organization and Employees and amending provisions set out as a note under section 2651 of Title 22] may be cited as the '1984 Act to Combat International Terrorism'."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 3072, 3074 of this title.

§ 3072. Determination of entitlement; maximum amount; Presidential approval; conclusiveness

The Attorney General shall determine whether an individual furnishing information

described in section 3071 is entitled to a reward and the amount to be paid. A reward under this section may be in an amount not to exceed \$500,000. A reward of \$100,000 or more may not be made without the approval of the President or the Attorney General personally. A determination made by the Attorney General or the President under this chapter shall be final and conclusive, and no court shall have power or jurisdiction to review it.

(Added Pub. L. 98-533, title I, § 101(a), Oct. 19, 1984, 98 Stat. 2707.)

§ 3073. Protection of identity

Any reward granted under this chapter shall be certified for payment by the Attorney General. If it is determined that the identity of the recipient of a reward or of the members of the recipient's immediate family must be protected, the Attorney General may take such measures in connection with the payment of the reward as deemed necessary to effect such protection.

(Added Pub. L. 98-533, title I, § 101(a), Oct. 19, 1984, 98 Stat. 2707.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3077 of this title.

§ 3074. Exception of governmental officials

No officer or employee of any governmental entity who, while in the performance of his or her official duties, furnishes the information described in section 3071 shall be eligible for any monetary reward under this chapter.

(Added Pub. L. 98-533, title I, § 101(a), Oct. 19, 1984, 98 Stat. 2707.)

§ 3075. Authorization for appropriations

There are authorized to be appropriated, without fiscal year limitation, \$5,000,000 for the purpose of this chapter.

(Added Pub. L. 98-533, title I, § 101(a), Oct. 19, 1984, 98 Stat. 2707.)

§ 3076. Eligibility for witness security program

Any individual (and the immediate family of such individual) who furnishes information which would justify a reward by the Attorney General under this chapter or by the Secretary of State under section 36 of the State Department Basic Authorities Act of 1956 may, in the discretion of the Attorney General, participate in the Attorney General's witness security program authorized under chapter 224 of this title.

(Added Pub. L. 98-533, title I, § 101(a), Oct. 19, 1984, 98 Stat. 2707, and amended Pub. L. 99-646, § 45, Nov. 10, 1986, 100 Stat. 3601.)

REFERENCES IN TEXT

Section 36 of the State Department Basic Authorities Act of 1956, referred to in text, is classified to section 2708 of Title 22, Foreign Relations and Intercourse.

³See References in Text note below.